

REMARKS

Claims 1-8 are pending in the present application. Claims 1-8 have been rejected under 35 USC § 102(e). Claims 4 and 7 have been amended.

The Applicant appreciates the Examiner's thorough examination of the subject application and respectfully requests reconsideration of the subject application based on the above amendments and the following remarks.

35 U.S.C. § 102(e) REJECTIONS

The Examiner has rejected claims 1-8 under 35 USC §102(e) as being anticipated by U.S. Patent Number 6,125,249 to Ootsuka ("Ootsuka" or the "Ootsuka Reference"). The Applicant respectfully traverses these rejections in view of the above amendment and for the reasons provided below.

The present invention discloses devices and methods to prevent a current, printing job from receiving an "out of paper" error message resulting from exhaustion of available paper by the interrupting job. According to the invention as claimed, the interrupting job may not print data if the paper feeding tray selected for the interrupting job corresponds to the paper feeding tray in use by the current, printing job (claim 2); or, when the paper feeding trays are the same, the tray is checked to determine whether or not the number of sheets needed to complete the interrupting job may impact the current, printing job based on an estimate of the amount of paper remaining in the paper feeding tray. Thus, the present invention discloses determining whether or not the interrupting job should be allowed (claim 4).

More specifically, the present invention discloses an image printing device that includes a function that permits the temporary suspension of a current printing job; the execution of an interrupting job; and the completion of the suspended, interrupted printing job. According to the invention as claimed,

[i]f an interrupt request for an interrupting job (hereinafter referred to as job B) is received in Step S3, the device 11 examines whether a paper feeding tray to be used for the job B corresponds to the tray being used for the job A (Step S6), then, if so the device 11 neglects the interrupt requests and continues the job A. If the tray to be used for the job B is different from the tray being used for the job A, then the job A is suspended and the job B is carried out following the interrupt (Step S7).

Specification, page 10, lines 2-10 (Emphasis added). Alternatively, in a second embodiment, if an interrupting job would otherwise use the same tray as the interrupted job, the image forming device will signal the user to select another tray. See, e.g., Id., page 12, lines 4-9. Furthermore, in a third embodiment, when an interrupting job desires to use the same paper tray as the interrupted job, sensors estimate the number of sheets of paper in the tray and the number of sheets of paper required by both printing jobs. If their sum is less than the estimated amount of paper in the tray, then both jobs are printed. Otherwise, when the sum is greater, the current, printing job is not interrupted. See, e.g., Id. page 13, lines 1-16. As provided in claim 1, the present invention focuses on whether "the selected paper feeding tray corresponds to the tray used for the present job." (Emphasis added).

According to the Ootsuka reference, and, more specifically, to the passages cited by the Examiner, during an interruption operation,

a determination is made as to whether the apparatus is currently in a scheduling operation, original scanning or a print operation. When the apparatus is in original scanning of a print operation, end of processing of the current page is waited.

When the apparatus is currently in a scheduling operation (YES at S295), the CPU 105 transfers the content of a register to the CPU 104 . . .

Ootsuka, col. 20, lines 13-20 (Emphasis added). Ootsuka also only discloses what happens when the selected tray is empty. See, e.g., Id., col. 20, line 61 to col. 21, line 14. Thus, Ootsuka focuses on the state of the printer, i.e., scheduling, original scanning or printing, and not on which paper feed tray has been selected for the interrupting job; on whether or not the selected tray is the same as the tray being used

by the interrupted job; and/or on whether or not printing of the interrupting job is allowed.

In 5-5-2. Trouble Processing, Ootsuka describes that an interrupt operation and job processing are inhibited when a paper sensor detects that the paper in a paper feed tray is used up. However, Ootsuka does not teach, mention or suggest determining whether or not the paper feeding tray selected for the interrupting job corresponds to the tray selected by the current, printing job.

Furthermore, according to Ootsuka, when a reserved job is inputted and the scheduling operations has ended, a check is made as to whether or not the paper feed trays have the necessary amount of paper for the reserved job and a predicted interrupting job, which is predicted based on historical paper use for interrupting jobs, so that shortage of papers can be avoided. This has nothing to do with determination of whether or not printing an interrupted job is allowed, because an interruption job has not occurred at this time. See, e.g., Id., col. 18, lines 35-47.

More specifically, with respect to claim 2, Ootsuka does not teach, mention or suggest a judging portion that prevents the interrupting job to print data when a tray selected by the interrupting job corresponds to a tray selected by the current, printing job but permits the interrupting job to print data when the tray selected for the interrupting job is different from the paper feeding tray being used in the current, printing job.

With respect to claim 3, Ootsuka is completely silent on providing a judging portion that instructs the user to select a different tray in the event the feed tray for the interrupting job is the same as the tray for the interrupted job. With respect to claims 4 and 5, Ootsuka is equally silent on providing a judging portion that determines whether or not there is sufficient paper remaining in the desired tray to accomplish both jobs. Specifically, Ootsuka only teaches that, the amount of paper in each of paper feed trays is estimated on the basis of the detection signals of the weight sensors. The predicted number of needed sheets is then compared with the number of the remaining paper in the paper feed tray and determination is made whether or not

the paper supply is adequate. When determination is made that paper must be added to a paper feed tray, a display is made urging the user to feed papers to the paper feed tray. However, this process is executed at the time when the reserved job is inputted and the scheduling operation has ended. Ootsuka does not teach, mention or suggest that the interrupting job is not permitted on the basis of a lack of residual paper.

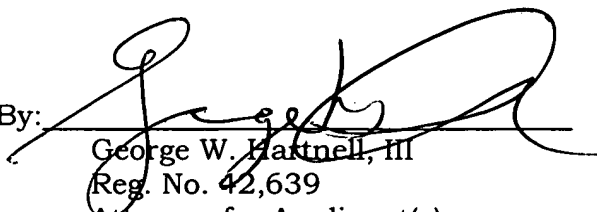
Accordingly, it is respectfully submitted that, claims 1-8 are not anticipated by Ootsuka; and further, satisfy all of the requirements of 35 U.S.C. 100, et seq., especially § 102(e). Accordingly, claims 1-8 are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

If for any reason a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge or credit Deposit Account No. **04-1105**.

Respectfully submitted,

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